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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/583,519	05/31/2000	Daniel Otto Becker	AUS990918US1	2496

7590 05/23/2003

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[REDACTED] EXAMINER

NGUYEN, QUANG N

ART UNIT	PAPER NUMBER
2141	H

DATE MAILED: 05/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.	09/583,519	Applicant(s)	BECKER, DANIEL OTTO
Examiner	Quang N. Nguyen	Art Unit	2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) Responsive to communication(s) filed on 31 May 2000.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.
- 4) Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-24 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 31 May 2000 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).\* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) Notice of References Cited (PTO-892)      4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_ .  
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)      5) Notice of Informal Patent Application (PTO-152)  
3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 .      6) Other: \_\_\_\_\_ .

***Detail Action***

1. This Office Action is in response to the Application No. 09/583519 filed on 05/31/2000.

Claims 1-24 are presented for examination.

***Claim Objections***

2. Claim 6 is objected to because of the following informalities:

On page 16, Line 1 of claim 6: "The method of claim 1, ..." should be "The method of claim 5, ...".

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application

by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

**4. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Tyra et al. (US 6,442,565), herein after referred as Tyra.**

5. As to claim 1, Tyra teaches a system for transmitting data content and performing operations on the data content within a distributed (client/server) system, comprising:

receiving a command name into a server via said messaging system (i.e., client machines within the system transmit to a server a request with an explicit reference or a class name for a particular operation) (Tyra, Abstract, Fig. 29, C17: L28-30).

utilizing said command name to automatically load a class file having a name including said command name (i.e., using the explicit reference or class name to find and load that particular class file) (Tyra, C17: L25-46).

6. As to claim 2, Tyra teaches the method of claim 1, further comprising:
  - comparing said command name to existing classes on said server (Tyra, C17: L47-65);
    - creating a new instance of said class (i.e., creating service object using instance factory() in step 2409 of Fig. 24); and
    - executing said new instance of said class (i.e., executing the service object to create data cell using content factory() in step 2410 of Fig. 24) (Tyra, C15: L44-65).
7. As to claims 3-4, Tyra teaches the method of claim 1, further comprising:
  - deleting a current command at runtime (Tyra, C16: L33-45); and
  - adding a new command at runtime (Tyra, C15: L57-67 and C16: L1-16).
8. As to claim 5, Tyra teaches a system for transmitting data content and performing operations on the data content within a distributed (client/server) system, comprising:
  - selecting a command to be executed (i.e., client creating a Data Cell Address "DCA" with the class name and an instance ID, transmitting the DCA to server and receiving in response a Data Cell); and
  - transmitting, within a message to a system in which the selected command is to be executed, a command name for the selected command which matches a portion of a class filename for a class implementing the selected command (Tyra, C15: L44-65 and C17: L47-65).

9. Claim 6 is dependent on claim 5 and has limitations corresponding to limitations of claim 2; therefore, it is rejected under the same rationale.
10. Claims 7-8 are corresponding method claims of claims 1-2; therefore, they are rejected under the same rationale.
11. Claims 9-12 and 22-24 are corresponding system claims and computer program product claims of claims 3-6; therefore, they are rejected under the same rationale.
12. Claims 13-16 and 17-21 are corresponding system claims and computer program product claims of claims 1-4; therefore, they are rejected under the same rationale.
13. Further references of interest are cited on Form PTO-892, which is an attachment to this office action.

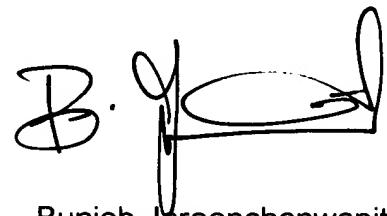
14. A shortened statutory period for reply to this action is set to expire THREE (3) months from the mailing date of this communication. See 37 CFR 1.134.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (703) 305-8190.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's primary, Bunjob Jaroenchonwanit, can be reached at (703) 305-9673. The fax phone numbers for the organization is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Quang N. Nguyen



A handwritten signature consisting of stylized initials 'B.J.' followed by a more fluid, cursive surname.

Bunjob Jaroenchonwanit